Honorable Timothy W. Dore
Chapter 7
Hearing Location: Seattle, Rm. 8106
Hearing Date: June 21, 2024
Hearing Time: 9:30 a.m.
Response Date: June 19, 2024

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re:

WIRELESS ADVOCATES, LLC

               Debtor.

Case No. 23-10117-TWD

DECLARATION OF BOB SHAFFER IN SUPPORT OF MOTION FOR ORDER AUTHORIZING TRUSTEE TO COPY DATA STORED AT DIGITAL FORTRESS AND REQUEST FOR SANCTIONS FOR VIOLATION OF AUTOMATIC STAY

I, Bob Shaffer, declare as follows:

1.   I am the Chief Operating Officer of Refresh Technologies ("Refresh Tech"). I submit this declaration in support of the motion for an order (1) directing Car Toys, Inc. ("Car Toys") to unblock any ports and remove all keys or security devices that are prohibiting the Trustee from copying data stored in file shares on a server network maintained by Chirisa DF LLC d/b/a Digital Fortress ("Digital Fortress"), (2) authorizing the Trustee to copy the data, and (3) sanctioning Car Toys for willfully violating the automatic bankruptcy stay. The facts set forth in this Declaration are based upon my personal knowledge.

2.   On June 7, 2024, I arrived at the Digital Fortress facility in Lynnwood, Washington to make a copy of the data stored in the Digital Fortress server network. Refresh Tech is very experienced at the migration, copying, and preservation of electronic records. I have personally accomplished many

SHAFFER DECLARATION ISO MOTION FOR
ORDER AUTHORIZING TRUSTEE TO COPY
DATA AND REQUEST FOR SANCTIONS FOR
VIOLATION OF AUTOMATIC STAY - 1

such projects. Prior to my arrival at the Digital Fortress facility, Refresh Tech built out and configured a 55 terabyte Network Attached Storage ("NAS") device to store the copied data.

3.   Refresh Tech configured the external NAS device using the same subnetwork and an open IP address that would allow communication with the Car Toys/Wireless Advocates NetApp appliance. While I was present at the Digital Fortress facility, I also tried using the same subnetwork and an open IP address as the server environment. The server environment and the NetApp appliance are on different subnetworks, but they communicate in the live environment with no issues. Refresh Tech configured the external NAS device for a Windows-based environment. While these methods of communication with the network would normally have been sufficient, they were not in this case and I was not able to communicate with the Car Toys-controlled network.

4.   It is possible that the Car Toys/Wireless Advocates environment has safeguards in place that prevent a new device from communicating in this manner. If this is the case, Refresh Tech will require assistance from Car Toys' IT team to ensure communication can be established when copying data from the server network. Furthermore, switch ports can be individually adjusted to allow or block this type of communication via virtual local area networks ("VLANS"). If these types of VLANS are in place on the switch ports, Refresh Tech will also require assistance from Car Toys' IT team to configure one or two ports to allow the external NAS device to communicate with the server network. My inability to make the digital copy of the Estate's records is due to the unique configuration of the Car Toys-controlled system and without communication from the Car Toys IT team, we will not be able to make the copy.

5.   For these reasons, I attempted to contact Mr. Maeda and Chitra Voeuk, both members of Car Toys' IT team, while I was present at the Digital Fortress facility on June 7, 2024. To this day, I have not received a response from Mr. Maeda or Mr. Voeuk.

SHAFFER DECLARATION ISO MOTION FOR
ORDER AUTHORIZING TRUSTEE TO COPY
DATA AND REQUEST FOR SANCTIONS FOR
VIOLATION OF AUTOMATIC STAY - 2

1   I declare under penalty of perjury that the foregoing is true and correct.

2

3   Executed in Charlotte, North Carolina, on June 20, 2024.

4

5   *Bob Shaffer*
                   Bob Shaffer (Jun 20, 2024 13:01 EDT)

                   Bob Shaffer

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

SHAFFER DECLARATION ISO MOTION FOR
ORDER AUTHORIZING TRUSTEE TO COPY
DATA AND REQUEST FOR SANCTIONS FOR
VIOLATION OF AUTOMATIC STAY - 3

<u>CERTIFICATE OF SERVICE</u>

The undersigned declares as follows:

That she is a paralegal in the law firm of K&L Gates LLP, and on this day, she caused the foregoing document to be filed electronically through the CM/ECF system which caused Registered Participants to be served by electronic means, as fully reflected on the Notice of Electronic Filing.

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

Executed on June 20, 2024 at Seattle, Washington.

/s/ Denise A. Lentz
Denise A. Lentz

SHAFFER DECLARATION ISO MOTION FOR
ORDER AUTHORIZING TRUSTEE TO COPY
DATA AND REQUEST FOR SANCTIONS FOR
VIOLATION OF AUTOMATIC STAY - 4

Stipulated Order Approving Prod Agmnt

Final Audit Report   2024-06-20

Created:	2024-06-20
By:	Fae Shaffer (fae@refreshtech.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAXuKY-v94K7NFYokFaPfjMp3i2Zal33g6

"Stipulated Order Approving Prod Agmnt" History

Document created by Fae Shaffer (fae@refreshtech.com)
2024-06-20 - 4:50:33 PM GMT- IP address: 108.78.214.185

Document emailed to Bob Shaffer (bob@refreshtech.com) for signature
2024-06-20 - 4:50:38 PM GMT

Email viewed by Bob Shaffer (bob@refreshtech.com)
2024-06-20 - 4:58:49 PM GMT- IP address: 66.57.22.206

Document e-signed by Bob Shaffer (bob@refreshtech.com)
Signature Date: 2024-06-20 - 5:01:21 PM GMT - Time Source: server- IP address: 66.57.22.206

Agreement completed.
2024-06-20 - 5:01:21 PM GMT